

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PCT RECEIVING OFFICE (RO/US)

In re the application of:

Attorney Docket No.: 3581.04US01

BRAUN et al.

Confirmation No.: 3048

Application No.: 10/519,352

Filed: 27 December 2004

For: MEDICAMENT FOR THE TREATMENT OF DISEASES DUE TO INFECTION BY
NEISSERIA MENINGITIDIS**SUBMISSION OF DOCUMENTS**

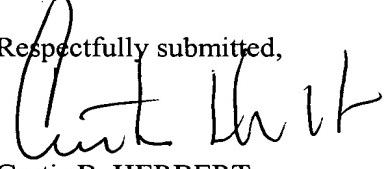
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed for filing in the above-identified application are the following documents:

1. Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371 – 3 pages;
2. Copy of Notice of Missing Requirements dated 24 June 2005 – 2 pages;
3. Executed Combined Declaration and Power of Attorney – 3 pages;
4. Check in the amount of \$65.00 (missing requirements fee); and
5. Return receipt postcard.

The Commissioner is authorized to charge to Deposit Account No. 16-0631 any underpayments, overpayments or additionally required fees.

Respectfully submitted,



Curtis B. HERBERT

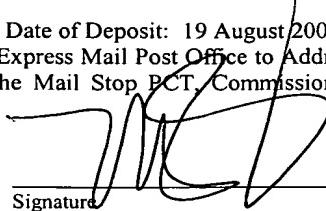
Registration No. 45,443

Patterson, Thuente, Skaar & Christensen, P.A.
4800 IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402-2100
(612) 349-3008

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EV 578266322 US. Date of Deposit: 19 August 2005. I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mia Lee Vang
Name of Person Making Deposit

Signature 

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| | | |
|--|---|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 3581.04US01 |
| INTERNATIONAL APPLICATION NO. PCT/EP03/06799 | INTERNATIONAL FILING DATE 27 June 2003 | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/519,352 |
| PRIORITY DATE CLAIMED 28 June 2002 | | |
| TITLE OF INVENTION MEDICAMENT FOR THE TREATMENT OF DISEASES DUE TO INFECTION BY NEISSERIA MENINGITIDIS | | |
| APPLICANT(S) FOR DO/EO/US BRAUN, Jan Matthias; WEIR, Donald M.; BLACKWELL, C. Caroline and BEUTH, Josef | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> | | |
| <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|---|---|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/519,352 | INTERNATIONAL APPLICATION NO. PCT/EP03/06799 | ATTORNEY'S DOCKET NUMBER 3581.04US01 |
|---|---|---|

20. Other items or information:

Copy of the Notification of Missing Requirements dated 24 June 2005.

| The following fees have been submitted | | | CALCULATIONS | PTO USE ONLY |
|--|--------------|---|------------------------------|--------------|
| 21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... | | | \$300 | \$ |
| 22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations.....\$200 | | | | \$ |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400 All other situations.....\$500 | | | | \$ |
| TOTAL OF 21, 22 and 23 = | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | |
| - 100 = | /50 = | | x \$250 | \$ |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | \$ 130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ |
| Total claims | - 20 = | | x \$ 50 | \$ |
| Independent claims | - 3 = | | x \$200 | \$ |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ |
| TOTAL OF ABOVE CALCULATIONS = | | | \$ 130.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. | | | | |
| | | | SUBTOTAL = | \$ 65.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | + | \$ |
| | | | TOTAL NATIONAL FEE = | \$ 65.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | + | \$ |
| 08/24/2005 GEREY1 00000140 10519352 | | | TOTAL FEES ENCLOSED = | \$ 65.00 |
| 01 FO:2617 65.00 OP | | | Amount to be refunded: | \$ |
| | | | Amount to be charged | \$ |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. A check in the amount of \$ 65.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-0631. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.



SEND ALL CORRESPONDENCE TO:

Curtis B. HERBERT
Patterson, Thuente, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402

SIGNATURE

Curtis B. HERBERT

NAME

45,443

REGISTRATION NUMBER

RECEIVED
DOCKETING

JUL 19 2005 SRT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office, VA
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/519,352 | Jan Matthias Braun | 3581.04US01 |

Brian L Jarrells
Patterson Thuente Skaar & Christensen
4800 IDS Center
80 South 8th Street
Minneapolis, MN 55402

INTERNATIONAL APPLICATION NO.

PCT/EP03/06799

I.A. FILING DATE

06/27/2003

PRIORITY DATE

06/28/2002

CONFIRMATION NO. 3048

371 FORMALITIES LETTER



OC00000016374109

DOCKETED

Date Mailed: 06/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/27/2004
- Copy of the International Search Report filed on 12/27/2004
- Copy of IPE Report filed on 12/27/2004
- Copy of Annexes to the IPER filed on 12/27/2004
- Preliminary Amendments filed on 12/27/2004
- Information Disclosure Statements filed on 12/27/2004
- U.S. Basic National Fees filed on 12/27/2004
- Priority Documents filed on 12/27/2004

Missing Requirements due 8-24-05
Per 1 month extension 9-24-05
Per 2 month extension 10-24-05
Per 3 month extension 11-24-05
Per 4 month extension 12-24-05
Per 5th & final extension 1-24-06

SJT

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

Docketing Review SJT

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/519,352 | PCT/EP03/06799 | 3581.04US01 |

FORM PCT/DO/EO/905 (371 Formalities Notice)